



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20350-1000

SECNAVINST 12711.1A
ASN(M&RA)/OCPM 02A
16 July 1991

SECNAV INSTRUCTION 12711.1A

From: Secretary of the Navy

Subj: JOB ACTION CONTINGENCY PLANNING

Ref: (a) 5 U.S.C. § 7311
(b) 5 U.S.C. § 7116(b)(7)

1. Purpose. To establish the Department of the Navy planning requirements for dealing with job actions by employees and labor organizations representing both appropriated and nonappropriated fund employees. This instruction is a complete revision and should be reviewed in its entirety.

2. Cancellation. SECNAVINST 12711.1.

3. Discussion

a. Job actions such as a strike, work stoppage, slowdown, or picketing not only interfere with performance at particular Department of the Navy activities, but also can impact upon service to the fleet and defense preparedness. Efficient and cost effective military operations are dependent upon full and consistent shore system delivery. Aside from the cessation of vital support to the military, such actions could reduce the nation's capabilities on a long-range basis and have a permanent effect upon the defense of our country.

b. It is an unfair labor practice for a labor organization to call, condone, or participate in a strike, work stoppage, slowdown, or picketing in a labor management dispute, if such picketing interferes with government operations. Nevertheless, there have been job actions which have caused serious disruption to public services. In 1970, a nationwide strike of postal employees interrupted mail service throughout much of the country and resulted in legislation which reorganized the Postal Service. In more recent years, air travel has been disrupted by various job actions by air traffic controllers. Therefore, it is incumbent upon Department of the Navy managers to have a plan prepared for such contingency.



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16 JUL 1991

c. The intent of contingency planning is to minimize the disruption of productive effort and interference with the orderly conduct of the nation's business. This is to be accomplished by immediately pursuing termination of the job action, and calling upon other resources to maintain operations while employees are withholding their services.

4. Definitions

a. Activity. A field installation, headquarters command, or office.

b. Central Action Group (CAG). This ad hoc group, chaired by the Director, Office of Civilian Personnel Management (OCPM), will serve as the central point for policy guidance and coordination within the Department of the Navy in the event a job action occurs. Members of the CAG will include designees of the Chief of Naval Operations (CNO); the Commandant of the Marine Corps (CMC); the Chief of Naval Research (CNR); the Assistant for Administration, Office of the Under Secretary of the Navy (AA/USN); affected Echelon 2 and 3 command headquarters; Program Manager, Labor and Employee Relations, OCPM; and others appointed by the Director, OCPM.

c. Job Action. As used in this instruction, the term refers to any concerted effort of employees to engage in a strike, work stoppage, slowdown, sick-out, illegal picketing, or other unauthorized concerted activity which interferes with mission accomplishment. Such action may or may not involve the participation of a union or other organized group.

d. Joint Local Operations Group (J-LOG). This ad hoc group will serve as the local point for action, coordination, and guidance at the activity for any job action which occurs. Composition of the J-LOG is defined in paragraph 7(a).

e. Management Personnel. This term includes all military and civilian supervisory and management personnel.

5. Provisions of Law. Reference (a) prohibits a federal employee from participating in a strike against the Federal Government. Reference (b) provides that it is an unfair labor practice for a labor organization to call or participate in a strike, work stoppage, slowdown, or picketing of an agency in a labor management dispute, if such picketing interferes with an agency's operations. It is also an unfair labor practice for a labor organization to condone such activity by failing to take action to prevent or stop it.

16 JUL 1991

6. Responsibilities

a. Assistant Secretary of the Navy (Manpower and Reserve Affairs) delegates program responsibility for job action contingency planning to the Director, OCPM.

b. Director, OCPM, chairs the CAG in the event of a job action.

c. Program Manager, Labor and Employee Relations, OCPM, serves as the Labor Advisor for the CAG, when convened. The Labor Advisor will provide technical assistance and support to the CAG and facilitate timely communications between the activity, its chain-of-command, and the CAG.

d. CAG will make or recommend Department of the Navy level decisions to implement legal action, state and local government assistance, or assistance from other federal agencies and authorities.

e. OCPM will provide, as necessary, written guidance to all Department of the Navy activity heads for contingency planning.

f. Heads of activities with one or more bargaining units are responsible for the following:

(1) Developing a local job action contingency plan as provided in paragraph 7.

(2) Annual review and updating of the plan.

(3) Rapid and timely communication and constant coordination with their chain-of-command, the CAG, and the cognizant OCPM Field Support Office in the event a job action occurs or appears imminent.

(4) Convening the J-LOG when such action occurs.

(5) Completing, within 10 days of the start of a job action, an investigation into the circumstance surrounding the job action and documenting the results of the investigation.

(6) Making decisions, in coordination with the CAG, concerning the maintenance of operations during a job action.

(7) Coordination with the CAG before making any commitments to a union to end a job action.

16 JUL 1991

g. Office of Counsel, OCPM, will provide legal advice to the CAG, as needed.

7. Local Contingency Plan of Action. Activities which have one or more bargaining units are required to develop a local contingency plan. The local plan will establish the detailed procedures which will be followed at the activity. At a minimum, the local plan will include:

a. Establishment of a J-LOG to coordinate actions at the activity level. (This group will, as a minimum, consist of the activity head or executive officer; civilian personnel director or head of labor relations; security officer; managers in charge of production, facilities, and public information; and a labor advisor from the cognizant OCPM Regional Office. The activity head may appoint other members to the J-LOG as deemed appropriate.)

b. Provisions for maintenance of operations during a job action.

c. A method for communicating with employees in the event a job action occurs.

d. A method for communicating among management personnel including the next level of command, the CAG, and cognizant OCPM Regional Office, in the event a job action occurs.

e. Provisions for maintenance of security during a job action.

f. A method for handling communications with the public.

g. Methods for documenting actions of employees and employee organization officials during a job action.

8. Review of Activity Contingency Plans

a. The activity head will ensure that the local contingency plan is reviewed and updated annually.

b. The activity contingency plan will be a matter for review during personnel management evaluations and Inspector General inspections.

16 JUL 1991

9. Action. Addressees will ensure that the policies of this instruction are implemented.



Dan Howard

Acting Secretary of the Navy

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SECNAVINST 12711.1A

16 JUL 1991

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